

**THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO**

IN RE:) CHAPTER 13
Nicholas Gregory Medina) CASE NO: 22-50148
)
) ALAN M. KOSCHIK
DEBTOR(S)) BANKRUPTCY JUDGE
)
) TRUSTEE'S MOTION TO DISMISS DUE TO
) FAILURE OF DEBTOR(S) TO MAKE PLAN
) PAYMENTS

Now comes Keith L. Rucinski, the Chapter 13 Trustee, and requests this Court to dismiss the Debtor(s) plan pursuant to 11 USC Section 1307(c)(1) as the Debtor(s) has failed to make required plan payments as required by 11 USC Section 1326. The failure to make plan payments is prejudicial to creditors who cannot be paid unless the Debtor(s) make plan payments. The Trustee states the following:

1. Debtor(s) has/have not been making his/her/their Chapter 13 Plan payments as ordered.
2. The case was filed on **02/15/2022**.
3. The monthly Plan payments are **\$152.00**.
4. As of this date, the payments into the Plan should total **\$1,824.00**.
5. As of this date, the payments into the Plan total **\$1,332.85**.
6. As of this date, the arrearages total is **\$491.15**.
7. The last payment was received on **11/28/2022**.

NOTICE TO ATTORNEYS

CHAPTER 13
{TrusteeName}
Trustee
Akron, OH 44308
(330)762-6335
Fax
(330)762-7072

****Pursuant to this Court's Administrative Order 00-4, attorneys are required to file with the U.S. Bankruptcy Court a notice of no opposition or a notice of inability to communicate with the Debtor(s).**

Attorneys may contact Holly Byler, at the Chapter 13 Trustee's Office at 330.762.6335 ext. 225 or hbyler@ch13akron.com to resolve this motion.

If attorneys do not file a response or contact the Chapter 13 Office by noon on Tuesday before the scheduled hearing, attorneys are required to appear at any Court hearing on this matter.

Debtor(s) may make a payment either online or by phone. To pay online visit www.chapter13info.com. To pay by phone call 1-888-439-5121.**

Respectfully submitted,

/s/ Keith L. Rucinski

Keith L. Rucinski, Chapter 13 Trustee

Ohio Reg. No. 0063137

Joseph A. Ferrise, Staff Attorney

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CERTIFICATE OF SERVICE

I hereby certify that on 02/06/2023, the following were served a copy of this pleading:

Via Regular Mail

Nicholas Gregory Medina
121 Poplar Lane
Ravenna, OH 44266

Via ECF

RYAN R MCNEIL ESQ (ryanmcneil@mcneilfirm.com)
Office of the US Trustee (ustpregion09.cl.ecf@usdoj.gov)
Keith L. Rucinski. Chapter 13 Trustee (krucinski@ch13akron.com)

Date of Service: 02/06/2023

By: H. Byler
Office of the Chapter 13 Trustee

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